

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |                     |
|---------------------------|---|---------------------|
| UNITED STATES OF AMERICA, | ) |                     |
|                           | ) |                     |
| Plaintiff,                | ) |                     |
|                           | ) |                     |
| v.                        | ) | Case No. 4:08CR3126 |
|                           | ) |                     |
| DAVID MUNOZ,              | ) |                     |
|                           | ) |                     |
| Defendant.                | ) |                     |

**ORDER**

THIS MATTER comes before the Court on defendant's Unopposed Motion to Continue Plea Hearing, (filing no. [56](#)), from February 3, 2010, for approximately 90 days. The Court, being fully advised in the premises, and noting that the Government has no objection to said continuance, finds that said motion should be granted.

IT IS THEREFORE ORDERED that the defendant's plea hearing shall be continued until the 5<sup>th</sup> day of May, 2010, at 11:00 a.m. The defendant is ordered to appear at said time. This Court further finds that, based upon the showing set forth in defendant's motion, the ends of justice will be served by continuing defendant's plea hearing. Further, that taking such action outweighs the best interests of the public and the defendant in a speedy trial. Accordingly, the time from February 3, 2010 until May 5, 2010 shall be excludable time pursuant to 18 U.S.C. §3161(h)(7)(A).

Dated this 1st day of February, 2010.

BY THE COURT:

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s/ Cheryl R. Zwart  
United States Magistrate Judge